

REMARKS

The application has been reviewed in light of the Office Action dated November 18, 2003. Claims 1-27 are pending in this application, with claims 1, 18 and 23 being in independent form. It is submitted that no new matter has been added and no new issues have been raised by the present Request for Reconsideration.

The specification will be amended to attend to the formal matters raised in the Office Action, when the application is otherwise in condition for allowance.

Applicants thank the Examiner for the indication that claims 18-27 are in allowable form.

Claims 1-17 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,950,207 to Mortimore et al. Claims 1-17 were also rejected under 35 U.S.C. Section 102(e) as allegedly anticipated by U.S. Patent No. 5,971,923 to Finger. Applicants have carefully considered Examiner's comments and the cited art, and respectfully submit independent claim 1 is patentably distinct from the cited art, for at least the following reasons.

Independent claim 1 relates to a method of generating medical information including quantitative and image data, comprising steps of performing an image acquisition of at least a portion of patient to be examined, generating image data based on the performed acquisition, generating quantitative data based on the performed acquisition and constructing a DICOM compatible file, the image data being provided in an image data field and the quantitative data being provided in a field of the DICOM compatible file other than the image data field.

Mortimore et al., as understood by Applicants, relates to a computer based multimedia medical database management system and user interface. A unique identifier is generated and

linked to each data object, preferably at the time the images are generated. A graphical representation of the identifier may be incorporated into the image or text when displayed or printed. Text objects may accompany the image data (e.g., see column 5 lines 32-51 of Mortimore et al.). As understood by Applicants, text objects such as patient name, date, reports etc. related to an image or set of images may be *linked* with the data by assigning an identifier to the text object. The text object and data object may then be *linked* for example according to their respective identifiers.

Accordingly, as understood by Applicants, Mortimer et al. describes incorporating a graphical representation of an identifier into the image or text when displayed or printed and not the actual data itself. Mortimer et al. appears to only describe “linking” of the various types of information

Mortimer et al. is not understood to teach or suggest *constructing a DICOM compatible file*, still less a DICOM compatible file in which the image data is provided in an image data field and the quantitative data is provided in a field of the DICOM compatible file other than the image data field, as recited in independent claim 1.

Finger, as understood by Applicants relates to an apparatus and method for processing ultrasound data. In addition to any processing of the ultrasound data, a CPU 74 can generate text and graphics *for display* with the ultrasound image data (e.g., see column 22 lines 63-67 of Finger.)

Accordingly, Finger appears to simply describe generating text and graphics for display with the image data and also does not appear to teach or suggest *constructing a DICOM compatible file*, still less creating a DICOM compatible file in which the image data is

provided in an image data field and the quantitative data is provided in a field of the DICOM compatible file other than the image data field, as recited in independent claim 1.

Accordingly, Applicants, submit independent claim 1 is patentably distinct from the cited art.

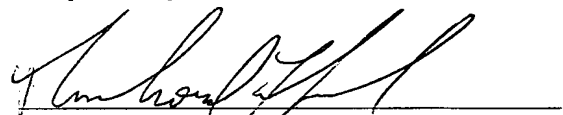
The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this Request For Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard F. Jaworski', is written over a horizontal line.

RICHARD F. JAWORSKI
Reg. No. 33,515
Attorney for Applicants
Cooper & Dunham LLP
Tel.: (212) 278-0400